

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

PATTERSON,	:	CIVIL ACTION
<i>Plaintiff,</i>	:	
v.	:	
	:	
STERLING JEWELERS INC., d/b/a	:	
KAY JEWELERS,	:	NO. 21-cv-2138
<i>Defendant.</i>	:	

**ORDER**

**AND NOW**, this **6th** day of **October, 2021**, upon consideration of Defendant's motion to dismiss (ECF No. 7), Plaintiff's response in opposition (ECF No. 11), and Defendant's response in support (EC No. 12), and for the reasons set forth in the accompanying memorandum, it is **ORDERED** that the motion (ECF No. 7) is **GRANTED**, and Plaintiff's claims are **DISMISSED WITHOUT PREJUDICE**.

It is further **ORDERED** that Plaintiff has leave to file an amended complaint on or before **October 20, 2021**. If he does not do so, the Court will deem him to have decided to stand on his Complaint and will mark this case closed.

**BY THE COURT:**

/s/ Chad F. Kenney

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**CHAD F. KENNEY, JUDGE**